

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

Case No. 2:23-cv-00641-JRG-RSP

JURY TRIAL DEMANDED

**HEADWATER’S UNOPPOSED MOTION TO EXCEED PAGE LIMITS
AND EXHIBIT PAGE LIMITS AND TO EXCUSE LATE FILING FOR
ITS OPPOSITION (DKT. 93) TO SAMSUNG’S MOTION TO COMPEL
DISCOVERY REGARDING STANDING AND REAL PARTY IN INTEREST**

Plaintiff Headwater Research LLC (“Headwater”) submits this unopposed motion to exceed page limits and exhibit page limits and to excuse late filing for Headwater’s Opposition (Dkt. 93) to Defendants Samsung Electronics Co., Ltd and Samsung Electronics America, Inc.’s (“Samsung”) Motion to Compel Discovery Regarding Standing and Real Party in Interest. Headwater has conferred with Samsung, who does not oppose this motion or the requested relief.

Headwater seeks to:

- exceed the seven-page limit for discovery motion briefing by two pages, such that its opposition is allowed to be nine pages total;
- exceed the five-page limit for exhibits to discovery motion briefing by ten pages, such its opposition exhibits are allowed to be fifteen pages total; and
- excuse the late filing of its opposition (several hours late at 4:43 AM CDT), such that the opposition will be deemed timely filed.

Headwater believes these requests are supported by good cause and would be in the interest of justice. As to page limits, the parties agreed to a mutual, modest two-page extension on the motion to compel (Dkt. 85) and opposition (Dkt. 93). Headwater relied on the parties' agreement and submitted a nine-page opposition to fully and fairly respond to Samsung's nine-page motion. For similar reasons, allowing Headwater a reciprocal extension on the page limit for exhibits is warranted. Headwater submitted only three exhibits totaling fifteen pages. The exhibits are excerpts of deposition testimony and interrogatory responses and were submitted as full-page versions to make them easier to read.

As to the late filing, the Court set an expedited deadline for Headwater's opposition of April 1, 2025 (Dkt. 87). Headwater regrets that the opposition was filed several hours late at 4:43 AM CDT on April 2, 2025. Headwater's counsel had unexpected scheduling conflicts (including travel delays on April 1, 2025) that interfered with their ability to timely file the opposition. Since the opposition was filed before the start of business hours on April 2, 2025, Headwater respectfully submits that excusing the late filing would be in the interest of justice.

Dated: April 2, 2025

/s/ Marc Fenster

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**ATTORNEYS FOR PLAINTIFF,
Headwater Research LLC**

CERTIFICATE OF CONFERENCE

Counsel for Headwater and counsel for Samsung have met and conferred in compliance with Local Rule CV-7(h). Samsung does not oppose this motion or the requested relief.

/s/ Marc Fenster
Marc Fenster

CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2025, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF System per Local Rule CV-5(a)(3).

/s/ Marc Fenster
Marc Fenster